

HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE G.BHAVANI PRASAD

W.A.No . 12 of 2006 and W.P.No.19010 of 2005

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WRIT APPEAL NO : 12 of 2006

Between:

Smt.Madugula Gowri and others

..... APPELLANTS

AND

A.P.State Housing Corporation Ltd.,

Rep. by its District Collector, Director,

Srikakulam and others

.....RESPONDENTS

::JUDGMENT::

Counsel for the Appellant : Mr.A.Rama Rao

Counsel for the Respondents : Mr.K.Mohan Rami Reddy

Dated 06.01.2006

Per G.S.Singhvi, CJ

This appeal is directed against order dated 29.8.2005 vide which the learned Single Judge dismissed W.P.No.19010 of 2005 filed by the appellants for quashing communication dated 31.7.2005 issued by the Deputy Executive Engineer, A.P. State Housing Corporation Limited seeking to recover from the appellants, the amount and material sanctioned in their favour.

After arguing the case for a short while, learned counsel for the appellant made a request that his clients may be permitted to withdraw the writ appeal as also the writ petition with liberty to file fresh petition to challenge order dated 21.7.2005 passed by the Collector, Srikakulam declaring them ineligible for house allotment.

Learned counsel for the Corporation says that he does not have any objection if the request of the appellants counsel is accepted.

In view of the above, this appeal as also the Writ Petition No.19010 of 2005 are dismissed as withdrawn with liberty to the appellants to file fresh petition to challenge order dated 21.7.2005 passed by Collector, Srikakulam and communication dated 31.7.2005 issued by respondent No.2. It is also made clear that the order passed by the learned single Judge in W.P.No.19010 of 2005 shall not, in any manner, effect adjudication of the fresh petition which may be filed by the appellants.

G.S.SINGHVI, CJ

Dt.6.1.2006

G.BHAVANI PRASAD,J

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